

UNITED STATES OF AMERICA

IN THE WESTERN DISTRICT OF MICHIGAN

United States of America,
Plaintiff,

File No. 1:18-cr-166

v.

Hon. Paul L. Maloney
U.S. District Court Judge

Daniel Dario Trevino (D-1),
Defendant.

**BRIEF IN SUPPORT OF DEFENDANT DANIEL TREVINO'S (D-1) MOTION TO
DISMISS FOR FIRST AMENDMENT AND FOURTEENTH AMENDMENT
VIOLATIONS**

Attachment 3 – Sample pages from JNET reports in 2011 with prosecution referrals to the
Michigan Attorney General's Office and the United States Attorney's Office

Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0003

ORIGINAL DATE Thu, Sep 08, 2011	INCIDENT NO. JNT-0000161-11
SUPPLEMENTARY DATE Thu, Sep 29, 2011	FILE CLASS 35001

INCIDENT STATUS
Open

Dangerous Drugs

JOURNAL:

None

SUMMARY:

Based on multiple controlled purchases of marijuana at Danny Trevino's Hydro World, located at 834 N West Ave, I drafted a search warrant for the premises. After the warrant was signed, it was executed shortly after 12:00 pm on 9-29-11. I assisted by attempting interviews on those present at the time, as well as seizing property.

ARRIVAL ON SCENE:

I entered the Danny Trevino's Hydro World as though I was to purchase marijuana. Once I was granted access into the back room, other officers entered and announced we had a search warrant for the premises. I made contact with the one employee who was working at Hydro World, Christian Brown. There were no customers in the lobby at the time the warrant was executed.

DATE/TIME/VENUE:

Thursday, September 29th, 2011. Approximately 12:00 pm
834 N West Ave, Jackson MI 49201
City of Jackson, Jackson County
State of Michigan

SUSPECT:

NAM: CHRISTIAN LAROY BROWN

NBR: 23497 DIR:
STR: PARK PLACE
SFX: DRIVE
CTY: SOUTHFIELD
TXH:
TXW:

ST: MI
ZIP: 48033

RAC: B
SEX: M
DOB: [REDACTED]
HGT: 5'10"
WGT: 200
HAI: BLK
EYE: BRO

ETH:

OPS: MI/ [REDACTED]

SSN: [REDACTED]

SID: MI/ [REDACTED]

FBI: [REDACTED]

MNU:

PRN: [REDACTED]

SEARCH WARRANT APPROVED:

D/Sgt Pelletier prepared the Search Warrant and Affidavit for the address of 834 N. West Ave. The Search Warrant and Affidavit were reviewed and approved by William A Rollstin, First assistant of the Michigan Department of the Attorney General.

SEARCH WARRANT ISSUED:

Following the prosecutor's approval, the Affidavit was presented to Judge Klaeren of the 12th District Court. Upon review and approval by Judge Klaeren, the undersigned swore to the facts and the Search Warrant was signed and ordered by the Judge at approximately 9-29-2011 at approximately 8:30 am.

PAGE 1 of 13	INVESTIGATED BY D/SGT TODD C PELLETIER #332	REPORTED BY	REVIEWED BY
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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0004

ORIGINAL DATE Thu, Sep 08, 2011	INCIDENT NO. JNT-0000161-11
SUPPLEMENTARY DATE Mon, Sep 10, 2012	FILE CLASS 35001

INCIDENT STATUS
Open

Dangerous Drugs

JOURNAL:

10/3/11	Cook	Initial review - pends review by Attorney General Office
11/9/11	Bradley	Report & externals faxed to Attorney General Report emailed to D/Lt. Lynde @ Tri County
11/14/12	Cook	Reviewed - pends Attorney General review
2/23/12	Cook	Reviewed - pends Attorney General review
3/28/12	Bradley	Emailed report to Chris Scott @ his request
4/5/12	Cook	Reviewed - pends AG office for review
5/10/12	Cook	Reviewed - pends AG office for review
7/25/12	Cook	Reviewed - pends AG office for charges

PROPERTY TURNED OVER TO TRI COUNTY:

On 9/9/12, Item #49-50 (computers) was released to Tri County - receipt attached.

STATUS:

Open

PAGE 1 of 1	INVESTIGATED BY D/LT DAVID COOK #024	REPORTED BY	REVIEWED BY
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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0005

ORIGINAL DATE Thu, Sep 08, 2011	INCIDENT NO. JNT-0000161-11
SUPPLEMENTARY DATE Wed, Oct 10, 2012	FILE CLASS 35001

INCIDENT STATUS
Open

Dangerous Drugs

JOURNAL:

9/17/12 Cook Reviewed - pends AG review - charges

FORFEITED MONEY:

On 10/9/12, the below listed items were retained after being administratively forfeited. The AICS receipts for all items of money were signed by the JNET Board Chairman. All money was deposited into the JNET Administrative Account by D/Lt. Cook - receipt signed and attached.

Item #30	\$70	F1113461
Item #31	\$10	F1113462
Item #33	\$2881	F1113463
Item #36	\$1850	F1113464
Item #39	\$50	F1113465
Item #56	\$556	F1113466
Item #57	\$75	F1113467

STATUS:

Open, pends AG review/charges

PAGE 1 of 1	INVESTIGATED BY D/LT DAVID COOK #024	REPORTED BY	REVIEWED BY
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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0006

ORIGINAL DATE Thu, Sep 08, 2011	INCIDENT NO. JNT-0000161-11
SUPPLEMENTARY DATE Fri, Apr 12, 2013	FILE CLASS 35001

INCIDENT STATUS
Open

Dangerous Drugs

JOURNAL:

10/11/12	Cook	Reviewed pends at AG.
10/18/12	Pelletier	Corbin bound over for trial.
10/20/12	Bradley	Lab report, Item# 2-3 enclosed, copy sent/mailed to PAO.
12/11/12	Bahlau	Reviewed pends court, requested Tonya to check court computer & update.
12/12/12	Rod	Bound over to circuit court with Judge McBain, no court dates set. Corbin plead not guilty on 12/17/12 with Judge McBain.
2/4/13	Rod	Pre-trial set for 12/28/12, reset for 1/11/13, reset for 2/9/13 with Judge McBain.
2/4/13	Bahlau	Reviewed pends court.
2/20/13	Rod	Held pre-trial on 2/19/13, court set for jury trial on 4/10/13 with Judge McBain.
3/19/13	Rod	Sent lab Item #2-3 to AG Office per request of Paul Cusick by email.
4/10/13	Pelletier	Corbin found not guilty.

COURT INFO - CORBIN:

On 4/10/13, Jonathan Corbin appeared before Judge McBain in the 4th Circuit Court for a jury trial and was found not guilty of CNTR SUB DEL/MANUF.

Attorney Green represented Corbin and AG Prosecutor John Cusick represented the People.

STATUS:

Open.

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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0007

ORIGINAL DATE Thu, Sep 08, 2011	INCIDENT NO. JNT-0000161-11
SUPPLEMENTARY DATE Mon, Apr 15, 2013	FILE CLASS 35001

INCIDENT STATUS
Open

Dangerous Drugs

JOURNAL:

4/12/13 Cook Reviewed pends further review by PAO on possible charges against
Dr. Procter.

PROPERTY DESTRUCTION:

Item (s) #41-46 was/were destroyed on 4/15/13 per MSP Official Orders by D/Lt. Jaime Corona and witnessed by D/Lt. David Cook by incineration at the JNET Office - Jackson, MI.

STATUS:

Open.

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Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0009

ORIGINAL DATE Thu, Sep 08, 2011	INCIDENT NO. JNT-0000161-11
SUPPLEMENTARY DATE Thu, Dec 19, 2013	FILE CLASS 35001

INCIDENT STATUS
Open

Dangerous Drugs

JOURNAL:

6/12/13 Bahlau Reviewed Corbin acquitted on all charges, Hold all evidence for future charges.

8/14/13 Cook Reviewed pends possible charges by Jackson County Prosecutor Office.

10/21/13 Cook Reviewed pends at PAO.

12/18/13 Cook Reviewed still pends at PAO, AG at Tri-County investigation.

STATUS:

Open.

PAGE 1 of 1	INVESTIGATED BY D/LT DAVID COOK #024	REPORTED BY	REVIEWED BY
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STATE OF MICHIGAN JUDICIAL DISTRICT	AFFIDAVIT FOR SEARCH WARRANT	CASE NO.
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17. Affiant knows from training that part of the Michigan Medical Marijuana law requires that a \$100.00 fee be paid to the State of Michigan at the time of registration. Affiant is also aware that part of the law requires a potential medical marihuana patient to have a relationship with the doctor who completes the Michigan Medical Marijuana Registry paperwork.
18. Affiant has learned that many business/homes utilize electronic monitoring and recording devices to aid in site security. This is especially true in cases where the occupants may be in possession of US currency and drugs as this makes them a likely target for thefts and robberies.
19. Affiant knows from training and experience that dealers and co-conspirators involved in the sale and use of drugs often utilize vehicles to store and/or transport narcotics, money, paperwork, and paraphernalia.
20. Affiant knows from training and experience that dealers and co-conspirators involved in the sale and use of drugs often utilize safes, lockboxes, or similar devices to protect paperwork, narcotics and/or moneys.
21. Affiant has learned from this investigation that Hydroworld requires patrons to sign in upon entering. These daily logs are kept for records and, as on one occasion, used as a reference when determining how much time has passed in an application process.
22. Because this is an ongoing investigation, the Affiant requests this Court to seal this affidavit for 56 days pursuant to MCL 780.651(8).

Based upon the foregoing information, Affiant believes that there is probable cause to believe the items sought to be seized will be located at 834 N West Ave, County of Jackson, and State of Michigan.

JNT 10/1-11

This affidavit consists of: 5 pages.

Review on:	<u>29</u> 09-28-2011
	Date
By:	William A. Rollstin-P40771 First Assistant Michigan Department of the Attorney General Prosecuting Official

	
Affiant / Detective Sergeant Todd Pelletier	
Subscribed and sworn before me on:	<u>9-29-11</u>
	Date
	<u>132103</u>
Judge/Notary	